



County of Los Angeles  
**CHIEF ADMINISTRATIVE OFFICE**

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://cao.co.la.ca.us>

DAVID E. JANSSEN  
Chief Administrative Officer

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June 9, 2005

To: Supervisor Gloria Molina, Chair  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: David E. Janssen  
Chief Administrative Officer

**SACRAMENTO UPDATE**

**Status of County-Interest Resources and Related Legislation**

While the Legislature's focus has shifted from bills to the budget, a number of resources bills, and related legislation of County-interest have been making their way through the legislative process. Although we have taken positions on a few of these bills, some of the more important ones are still in development, particularly those that may culminate in new bond initiatives to be submitted to the voters. Below is a brief summary of the status of park funding as authorized by Proposition 40 and water resources and beach protection funding under Proposition 50, followed by descriptions of the major Resources Bond Acts currently being considered for placement on the November Special Election Ballot or at a future date.

In addition, this report includes brief summaries of other significant resources-related legislation including: air quality and pollution reduction, coastal protection, environmental protection and brownfields, greenhouse gases, railroad safety, recycling, solid waste management, and water quality. A list of the resources bills and related legislation is attached.

## **Status of Proposition 40 and Proposition 50 Funds**

The passage of Proposition 40 and Proposition 50 authorized a total of \$6.04 billion in resource-related bonds funds for air, water, watershed, park, beach, cultural resources, and land acquisition and restoration purposes. The \$2.6 billion "California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002" (Proposition 40), and the \$3.44 billion "Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50)" were passed by voters on the March and November 2002 ballots, respectively. Bond funds for projects and grants under Proposition 40 were appropriated beginning in FY 2001-02 and Proposition 50 program funds were appropriated beginning in FY 2002-03.

Proposition 40 provided funds for neighborhood parks, outdoor recreation, wildlife habitat protection, clean beaches, preservation of cultural and historical resources, air pollution projects, water quality, and watershed protection and restoration. Proposition 50 made funds available for various water supply and water quality related projects including, wastewater treatment, watershed protection, clean beaches, and safe drinking water infrastructure improvements. According to the Department of Finance, the State anticipates that most of the projects funded by the two bond measures will be completed by FY 2012-13.

There is a good possibility that a new resource bond act will appear on a future ballot because funding for Proposition 40 and Proposition 50 is nearing depletion. The balance in Proposition 40 and Proposition 50 bond funds is estimated to be \$673 million. Nearly all of the remaining Proposition 40 bond funds will have been appropriated by the end of FY 2005-06. The Proposed State Budget anticipates program expenditures of \$583 million in FY 2005-06 under Proposition 50, with a balance of approximately \$671 million remaining for new projects for water quality, water management, land acquisition and restoration, and the CALFED Bay-Delta Program.

## **Resources Bond Acts**

In the current Legislative Session, there are several Resources Bond Acts making their way through the Legislature. Of particular interest to the County are County-supported and amended SB 153 (Chesbro) and AB 1269 (Pavley).

**County-supported and amended SB 153 (Chesbro)**, as amended on June 2, 2005, would enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006 which authorizes the issuance of bonds to finance a program for the acquisition, development, and preservation of park, recreational, water, coastal, agricultural land, air, cultural, and historical resources. Although the County

supports SB 153, we are requesting that the bill be amended to include beaches in the definition of parks for the purpose of qualifying for park funding programs, if the beaches are in densely populated urban areas and are used by large numbers of residents as if they were an urban park. This measure is in the Assembly awaiting referral.

**SB 1024 (Perata)**, as amended on May 12, 2005, would enact the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize State general obligation bonds for the seismic retrofit of toll bridges, levee improvements, restoration of Proposition 42 transportation funds, port infrastructure and security projects, trade corridors of significance, emissions reduction projects, environmental enhancement projects, and transportation needs in cities and counties relative to housing. This measure is currently at the Assembly Desk awaiting referral to a policy committee.

**AB 1269 (Pavley)**, as introduced, would enact the Clean Air, Clean Water, Coastal Protection, and Parks Act of 2007, which, if adopted by the voters, would authorize an unspecified amount in State General Obligation bonds for resource protection, acquisition, restoration and development. The bill in its current form does not specify an amount of bond funding that would be authorized nor identify when a statewide ballot measure would be submitted to the voters. The bill provides that up to 10 percent of the program funds would be made available to finance monitoring, research, or planning necessary for successful project implementation.

AB 1269 has four major funding categories: Clean Air, Clean Water, Coastal Protection, and Parks and Wildlife Protection. The County would be eligible to compete in all four categories. The Departments of Parks and Recreation, Beaches and Harbors, and Public Works have identified several grant programs in which the County could compete for clean air, water quality, coastal protection, and park funding.

The Clean Air Program would implement projects that provide cost-effective emission reductions of air pollution through Carl Moyer Program funding to reduce pollution from diesel trucks, and the Hydrogen Fueling Infrastructure Program to promote the early commercial introduction of hydrogen fuel vehicles. The Clean Water Program would make funds available for integrated watershed management projects, river parkway projects, and water quality projects that assist in meeting water quality standards, including storm water cleanup.

The Coastal Protection Program provides unspecified funding for the restoration of the Santa Monica Bay, and earmarks funds to land conservancies, as well as the California Ocean Protection Trust Fund. Land conservancies eligible to receive funding include the State Coastal Conservancy, the Santa Monica Mountains Conservancy, and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy. As the State and conservancies will likely make these funds available for grants to other local agencies and non-profit organizations for specific projects, the County may become the recipient of a portion of these funds. AB 1269 is in the Assembly Appropriations Committee awaiting a hearing date.

## Air Quality and Pollution Reduction

**AB 888 (De La Torre)**, as amended on May 27, 2005, would authorize the South Coast Air Quality Management District (SCAQMD) to establish a rail yard equipment emission reduction program and require the State Air Resources Board to submit any regulations adopted by the SCAQMD to the Federal Environmental Protection Agency for a waiver or authorization, unless the State board makes certain findings. This measure is in the Senate awaiting referral.

**AB 1222 (Jones)**, as amended on May 27, 2005, would establish the Remote Sensing Pilot Program and require the State Air Resources Board to implement a pilot program to determine emissions from locomotives using wayside remote sensing devices, and would require the South Coast Air Quality Management District, the Union Pacific Railroad, and the Burlington Northern Santa Fe Railway to reimburse the State Air Resources Board for its costs of implementing the pilot program. This measure is in the Senate awaiting referral.

**AB 1660 (Pavley)**, as amended on April 19, 2005, would create the California Energy-Efficient Vehicle Group Purchase Program in the Department of General Services to encourage the purchase of energy efficient vehicles by local and State agencies through a group-purchasing program, and require the Department of General Services to negotiate the lowest possible purchase price, with one or more vendors, for energy efficient vehicles on behalf of State and local agencies that are interested in obtaining those vehicles and to recover its administrative costs. This measure is set for hearing on June 15, 2005 in the Senate Government Modernization, Efficiency and Accountability Committee.

**SB 44 (Kehoe)**, as amended on May 17, 2005, would require the legislative body of each city and county to adopt either an air quality element as part of its general plan, or amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements. This measure is in the Assembly awaiting referral. The Department of Regional Planning is currently reviewing the bill.

**SB 409 (Kehoe)**, as amended on May 11, 2005, would require that a portion of the conservation element of a city or county's long-term general plan that includes water to be correlated with the land-use element. This measure is in the Assembly awaiting referral. The Department of Regional Planning is currently reviewing the legislation.

**SB 459 (Romero)**, as amended on April 12, 2005, would authorize the South Coast Air Quality Management District to adopt a locomotive emission impact mitigation fee to be imposed on railroad companies that operate in whole or in part within the counties of Los Angeles, Orange, Riverside, or San Bernardino, if specified requirements are met,

and authorizes the district to expend revenues derived from the mitigation fee to reduce air contaminants or public health risks. This measure is in the Assembly awaiting referral.

### **Coastal Protection**

**AB 1168 (Saldana)**, as amended on April 5, 2005, would require the State Department of Health Services, when reviewing an application for a water system operating permit for a ground or ocean water desalination project, to identify potential contaminants and sources of contamination and ensure the safety and effectiveness of treatment processes. This measure is in the Senate awaiting referral.

**SB 658 (Kuehl)**, as amended on April 21, 2005, would create the Coastal Environment Motor Vehicle Mitigation Program, which would provide for a fee of up to \$6 on new or renewal vehicle registrations in designated counties (including Los Angeles), subject to a majority vote of its Board of Supervisors, and would divide the revenue earned from the bill between the county of origin (30%) and the coastal conservancy (70%) to be used to prevent, reduce, remediate, or mitigate the adverse environmental effects of motor vehicles and their facilities and infrastructure. This measure is in the Assembly awaiting referral.

### **Environmental Clean-up and Brownfields**

**SB 354 (Escutia)**, as amended on April 18, 2005, would require the Governor to appoint a task force on the coordination of site cleanup programs to provide information to the Environmental Protection Agency on implementing administrative improvements to the State's site cleanup oversight programs and to make recommendations on how to best coordinate site cleanup oversight responsibilities within the agency. This measure is in the Assembly awaiting referral.

**SB 838 (Escutia)**, as amended on March 29, 2005, would require CAL-EPA to establish an environmental cleanup and pollution control technology registry containing a specified database, describe the purposes of the registry, provide that the information in the registry may be voluntarily submitted to CAL-EPA by organizations and businesses that elect to participate in the registry, and make this data available to businesses and governmental entities requesting assistance with environmental cleanup and pollution control technology. This measure was placed on the Senate Appropriations Committee Suspense File on May 26, 2005.

### **Parks and Recreation**

**AB 359 (Gordon)**, as amended on June 8, 2005, would authorize the State Department of Parks and Recreation, the Coastal Commission, the County of Los Angeles, the City of Los Angeles and other interested parties to enter into a memorandum of agreement to establish, manage and evaluate a one-year off-leash dog beach pilot program at

Dockweiler State Beach in the County of Los Angeles, and provide that private funding sources would be used to pay for the costs of developing the memorandum of agreement and the pilot program. This measure is set for hearing on June 14, 2005 in the Senate Natural Resources and Water Committee.

**AB 1039 (Frommer)**, as amended on April 19, 2005, would expand the definition of facilities in the Urban Park Act of 2001 to include community gardens, and increase the list of criteria for which the Department of Parks and Recreation shall assign higher priority to applications for grants under the Act to include projects which create a new park in a location where none currently exists. This measure is in the Senate awaiting referral.

### Railroad Safety

A number of bills have been introduced to address the recent train derailments in Southern California, some of which are described below:

**County-supported AB 158 (Bermudez)**, as amended on April 20, 2005, requires the California Public Utilities Commission (CPUC) to convene a special task force to study certain railroad safety issues, including vandalism and transporting hazardous waste, and requires the CPUC to recommend safety measures and include the findings and recommendations in its annual report to the Legislature on sites on railroad lines that are found to be hazardous. This measure is in the Assembly Utilities and Commerce Committee awaiting a hearing date.

**AB 962 (Núñez)**, as amended on April 21, 2005, would require a railroad corporation to notify the CPUC of specified accidents, incidents, and other events that are required to be reported to the Federal Railroad Administration. This measure is in the Senate awaiting referral.

**AB 1067 (Frommer)**, as amended on May 27, 2005, would improve safety at railroad crossings, enhance traffic law enforcement, and impose stricter penalties on persons who enter a grade crossing, causing damage or derailment. This measure is currently at the Senate Desk awaiting referral to a policy committee.

**County-supported SB 578 (Escutia)**, as amended on May 4, 2005, would require a railroad corporation to promptly notify the Office of Emergency Services, the California Highway Patrol, and designated county public safety agencies in an endangered area, or certain information relative to hazardous materials, and in certain events, of train and track locations, whether or not an accident or spill occurs. It also requires the CPUC to investigate any incident that results in a notification pursuant to this requirement, and to include this information in its annual report to the Legislature. This measure is in the Assembly awaiting referral.

**SB 1047 (Bowen)**, as introduced, would require the CPUC to include in its annual report to the Legislature a list of all railroad derailment accident sites in the State on which accidents have occurred within the previous two years. This measure is set for hearing on June 13, 2005 in the Assembly Utilities and Commerce Committee.

**County-supported SJR 13 (Escutia)**, as introduced, would urge the President and Congress to amend the Federal Railroad Safety Act of 1970 to increase the authority of state and local governments to enact railroad safety regulations. This measure is set for hearing on June 21, 2005 in the Senate Energy, Utilities and Communications Committee.

## Recycling

**County-supported AB 338 (Levine)**, as amended on April 19, 2005, would require the State Department of Transportation to use not less than 20 percent crumb rubber by ton, of the total amount of asphalt paving materials used on and after January 1, 2007, and increases this amount to 25 percent by 2010, capping the crumb rubber mix in asphalt to not less than 35 percent by 2013. This measure is in the Senate awaiting referral.

**AB 399 (Montañez)**, as amended on May 11, 2005, would require the California Integrated Waste Management Board to make available one or more model ordinances that may be adopted by a local agency to facilitate solid waste reduction, reuse, and recycling programs at multifamily dwellings, and to post specified information on the board's Internet Web site, and require the owner or manager of the residential facility to notify the residents of the multifamily dwelling about the methods they may utilize to reduce, reuse, and recycle solid waste materials. This measure is set for hearing on June 27, 2005 in the Senate Environmental Quality Committee.

**AB 1125 (Pavley)**, as amended on June 1, 2005, would enact the Household Battery Recycling Act of 2006 and would define terms for purposes of the act, including "household battery", and require a retailer of household batteries to have in place a system for the acceptance and collection of used household batteries for reuse, recycling, or proper disposal including the take-back at no-cost-to-the-consumer of a used household battery. This measure is in the Senate awaiting referral.

## Solid Waste Management, Toxic Materials & Hazardous Wastes

**County-supported AB 1090 (Matthews)**, as introduced, would define conversion technologies and promote their development by incorporating conversion technologies within the State's waste management tools hierarchy in proper context to its environmental benefits and impacts, and provide diversion credit to jurisdictions that utilize such facilities. This measure was held in the Assembly Natural Resources Committee.

**SB 318 (Romero)**, as amended on May 3, 2005, would create the Office of the Solid Waste Public Advisor within the Integrated Waste Management Board to provide objective information to members of the public living near a proposed solid waste facility or an existing facility that is proposed to be expanded or otherwise altered. This measure was placed on the Senate Appropriations Committee Suspense File on May 26, 2005.

**County-opposed SB 926 (Florez)**, as amended on May 9, 2005, would permit the Kern County Board of Supervisors to adopt an ordinance to regulate or prohibit the importation of sewage sludge from another California county for application in Kern County, and would require the prohibition, if enacted, to exempt a contractual obligation to import sewage sludge for land application that was in existence before the effective date of the prohibition. This measure is set for hearing on June 14, 2005 in the Assembly Environmental Safety and Toxic Materials Committee.

**SB 928 (Lowenthal)**, as amended on May 2, 2005, would change the percentage that a city or county source reduction element is required to divert solid waste from landfills to an unspecified amount, and delete the authority of the California Integrated Waste Management Board to grant a time extension for diversion requirements. This measure is in the Assembly awaiting referral.

### **Water Quality and Recycling**

**SB 187 (Soto)**, as amended on April 28, 2005, would amend the Safe Drinking Water Act to require the Office of Environmental Health Hazard Assessment to revise the public health goal for perchlorate in drinking water as soon as possible after new methods for analyzing pathways of exposure become available to the office. This measure is in the Assembly awaiting referral.

**SB 729 (Lowenthal)**, as amended on April 19, 2005, would require the State Water Resources Control Board and regional water boards to implement a public information program on water quality matters, to prepare its budget in a certain manner, to establish a water quality coordinating committee, to prepare certain guidelines reflecting prioritization of the cleanup of certain State waters, and identify and post schedules for total maximum daily loads. This measure is in the Senate Environmental Quality Committee awaiting a hearing date.

**SB 1070 (Kehoe)**, as amended on May 27, 2005, would require the Water Resources Control Board, to the extent funding is available, to: 1) implement a public information program on matters involving water quality; 2) maintain an information file on water quality research and other pertinent matters; 3) place on its Web site a public information file on water quality research, standards, regulations, enforcement, and other pertinent matters; and 4) prepare an inventory of existing water quality monitoring activities within coastal watersheds, bays, and estuaries. This measure is in the Assembly awaiting referral.

## Miscellaneous Resource Bills

**AB 343 (Huff)**, as amended on March 29, 2005, would exempt from any utility user tax imposed by any jurisdiction, the consumption of natural gas by a local agency, or a school district for transportation purposes if that natural gas is dispensed by a gas compressor that is separately metered and is dedicated to serve the local agency or the school district. This measure failed passage in the Senate Revenue and Taxation Committee on June 8, 2005 by a vote of 3 to 5, but was granted reconsideration.

**AB 577 (Wolk)**, as introduced, would require the Secretary of the Resources Agency and the Secretary of Food And Agriculture to develop a Statewide plan for management and control of all invasive species, as defined, that shall be presented to the Legislature on or before January 1, 2007. This measure was placed on the Assembly Appropriations Committee Suspense File on May 25, 2005.

**AB 802 (Wolk)**, as amended on April 25, 2005, would require the conservation element of the general plan to cover flood management and to consider, among other things, the existing water supply and the possible means of using flood water to supplement that supply. This measure is currently on the Assembly Inactive File.

**County-supported AB 856 (Bass)**, as amended on May 27, 2005, would add the Director of the Department of Conservation, or his or her designee, as a non-voting member of the Baldwin Hills Conservancy (BHC) board, make changes pursuant to the Bagley-Keene Open Meeting Act, and repeal the requirement that the BHC obtain and maintain liability insurance. This measure is in the Senate awaiting referral.

We will continue to keep you advised.

DEJ:GK  
MAL:JF:EW:LY:ib

C:     Executive Officer, Board of Supervisors  
         County Counsel  
         Local 660  
         All Department Heads  
         Legislative Strategist  
         Coalition of County Unions  
         California Contract Cities Association  
         Independent Cities Association  
         League of California Cities  
         City Managers Associations  
         Buddy Program Participants

**COUNTY OF LOS ANGELES - CHIEF ADMINISTRATIVE OFFICE  
STATUS OF RESOURCES BILLS OF INTEREST TO THE COUNTY  
2005-06 LEGISLATIVE SESSION**

**RESOURCE BOND ACTS**

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1269	Pavley		Would enact the Clean Air, Clean Water, Coastal Protection, and Parks Bond Act which authorizes the issuance of State bonds to finance air and water quality, coastal protection, and park projects.	Assembly Appropriations
SB 153	Chesbro	Support and Amend to include beaches in the definition of parks (State Update: 4/12/05)	Would enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006 which authorizes the issuance of bonds to finance a program for the acquisition, development, and preservation of park, recreational, water, coastal, agricultural land, air, cultural, and historical resources.	Assembly Desk
SB 863	Florez		Would enact the California Clean Air Bond Act, which authorizes the issuance of bonds to finance an air quality program.	Senate Appropriations Suspense File
SB 1024	Perata		Would enact the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize State general obligation bonds for the seismic retrofit of toll bridges, levee improvements, restoration of Proposition 42 transportation funds, port infrastructure and security projects, trade corridors of significance, emissions reduction projects, environmental enhancement projects, and transportation needs in cities and counties relative to housing.	Senate Floor

## AIR QUALITY AND POLLUTION REDUCTION

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 888	De La Torre		Would authorize the South Coast Air Quality Management District to establish a rail yard equipment emission reduction program and require the State Air Resources Board to submit any regulations adopted by the south coast district to the Federal Environmental Protection Agency for a waiver or authorization, unless the state board makes certain findings.	Senate Desk
AB 1007	Pavley		Would require the State Air Resources Board to develop and adopt a State plan to increase the use of alternative fuels, and permit the board to consider as a factor, the need for the State to increase fuel diversity to reduce the state's dependency on petroleum fuels, when adopting any regulation to reduce air pollution.	Senate Desk
AB 1222	Jones		Would establish the Remote Sensing Pilot Program and require the State Air Resources Board to implement a pilot program to determine emissions from locomotives using wayside remote sensing devices, and would require the South Coast Air Quality Management District, the Union Pacific Railroad, and the Burlington Northern Santa Fe Railway to reimburse the State Air Resources Board for its costs of implementing the pilot program.	Senate Desk
AB 1407	Oropeza		Would require the State Resources Air Board to report to the Legislature on the efficacy of imposing a fee of \$0.05 per gallon on off-road diesel fuel as a means of generating revenue to fund projects that mitigate the past, present, and future harm to public health resulting from off-road diesel fuel in the State.	Senate Desk
AB 1430	Goldberg		Would require the methodology used by air pollution control districts and air quality management districts to calculate the value of credits issued for emission reductions from stationary, mobile, indirect and area wide sources to prohibit the trading of mobile source emissions for stationary source emissions, within or between districts, until all such sources have first installed best available retrofit technology, best available control technology, or lowest achievable emissions reduction.	Assembly Inactive File
AB 1660	Pavley		Would create the California Energy-Efficient Vehicle Group Purchase Program in the Department of General Services to encourage the purchase of energy efficient vehicles by local and State agencies through a group-purchasing program and require the Department of General Services to negotiate the lowest possible purchase price, with one or more vendors, for energy efficient vehicles on behalf of State and local agencies that are interested in obtaining those vehicles and to recover its administrative costs.	Senate Government Modernization, Efficiency and Accountability

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1693	Mathews		Would require a project financed by the Pollution Control Financing Authority to result in a quantifiable reduction of pollution and require the pollution reduction attributable to a project to be certified by an independent 3rd party.	Senate Environmental Quality
AJR 8	Canciamilla		Would urge Congress to ratify treaty provisions known as Annex VI of MARPOL 73/78, and the U.S. Environmental Protection Agency to pursue the creation of a North American Sulfur Emission Control Area for the regulation and prevention of exhaust emissions from ships.	Senate Environmental Quality
SB 44	Kehoe	Regional Planning is reviewing	Would require the legislative body of each city and county, including those in the San Joaquin Valley Air Pollution Control District, to adopt either an air quality element as part of its general plan or amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements.	Assembly Desk
SB 409	Kehoe	Regional Planning is reviewing	Would require that a portion of the conservation element of a city or county's long-term general plan that includes water to be correlated with the land use element.	Assembly Desk
SB 459	Romero		Would authorize the South Coast Air Quality Management District to adopt a locomotive emission impact mitigation fee to be imposed on railroad companies that operate in whole or in part within the counties of Los Angeles, Orange, Riverside, or San Bernardino, if specified requirements are met, and authorizes the district to expend revenues derived from the mitigation fee to reduce air contaminants or public health risks.	Assembly Desk

## COASTAL PROTECTION

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 848	Berg		Would establish the Ocean Ecosystem Resource Information System within the Department of Fish and Game to foster and support ecosystem conservation and management of the ocean waters offshore and the marine resources therein.	Assembly Appropriations
AB 1168	Saldana		Would require the State Department of Health Services, when reviewing an application for a water system operating permit for a ground or ocean water desalination project, to identify potential contaminants and sources of contamination and ensure the safety and effectiveness of treatment processes.	Senate Desk
SB 658	Kuehl		Would create the Coastal Environment Motor Vehicle Mitigation Program, which would provide for a fee of up to \$6 on new or renewal vehicle registrations in designated counties (including Los Angeles), subject to a majority vote of its Board of Supervisors, and would divide the revenue earned from the bill between the county of origin (30%) and the coastal conservancy (70%) to be used to prevent, reduce, remediate, or mitigate the adverse environmental effects of motor vehicles and their facilities and infrastructure.	Assembly Desk

## **ENVIRONMENTAL CLEAN-UP AND BROWNFIELDS**

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 597	Montañez		Would revise the public participation procedures under the Land Reuse and Revitalization Act of 2004 that are required to be included in the response, including requiring the agency to notify all other appropriate governmental entities and local agencies that are not a party to the response plan regarding the proposed response action, and address immunity under the act for specified purchasers, innocent landowners, or contiguous property owners.	Senate Desk
SB 354	Escutia		Would require the Governor to appoint a task force on the coordination of site cleanup programs to provide information to the Environmental Protection Agency on implementing administrative improvements to the State's site cleanup oversight programs and to make recommendations on how to best coordinate site cleanup oversight responsibilities within the agency.	Assembly Desk
SB 838	Escutia		Would require CAL-EPA to establish an environmental cleanup and pollution control technology registry containing a specified database, describe the purposes of the registry, provide that the information in the registry may be voluntarily submitted to CAL-EPA by organizations and businesses that elect to participate in the registry, and make this available to businesses and governmental entities requesting assistance with environmental cleanup and pollution control technology.	Senate Appropriations Suspense File

## **GREENHOUSE GAS EMISSIONS**

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 32	Pavley		Would require the California Climate Action Registry, in coordination with the California Environmental Protection Agency and the State Energy Resources Conservation and Development Commission, to adopt specified procedures and protocols monitoring, estimating, calculating, reporting and certifying greenhouse gas emission resulting from specified industrial sectors.	Senate Environmental Quality
AB 1365	Ruskin		Would require the comprehensive State Environmental Goals and Policy Report prepared by the Governor's Office, which includes the approved State environmental goals, to include the reduction in greenhouse gas emissions as a State planning priority.	Senate Desk
SB 984	McClintock		Would require the Energy Commission to identify and do a comparative analysis of the life-cycle costs and environmental impacts of existing and proposed major electric generation technologies, including fossil, nuclear, renewable and hydroelectric technologies and require that analysis to be based on a survey of available data from government, academic, industry and public sources.	Senate Appropriations Senate Suspense File

## HIGHWAY AND RAIL SAFETY

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 158	Bermudez	Support (Board Action: 5/24/05)	Would require the California Public Utilities Commission (CPUC) to convene a special task force to study certain railroad safety issues, including vandalism and transporting hazardous waste, and requires the CPUC to recommend safety measures and include the findings and recommendation in its annual report to the Legislature on sites on railroad lines that are found to be hazardous.	Assembly Utilities and Commerce
AB 713	Torrico		Would enact the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century upon voter approval at the November 4, 2008, general election.	Senate Desk
AB 962	Nuñez		Would prohibit a railroad corporation from leaving a train containing hazardous materials unattended outside of its terminal property, or permitting such a train to cross a grade crossing unattended and require a railroad corporation to notify the Public Utilities Commission of specified accidents, incidents and other events that are required to be reported to the Federal Railroad Administration.	Senate Desk
AB 1001	Nava		Would require the Department of Transportation, with regard to materials used in paving sub base, to use recycled aggregate base for at least 50% of the total amount of aggregate base used on and after a specified date, and for at least 75% of the total amount of aggregate base used on and after a specified date. Requires the preparation of an analysis comparing the cost differential between recycled and virgin aggregate base until a determination is made on the cost of recycled aggregate.	Senate Transportation and Housing
AB 1067	Frommer		Would improve safety at railroad crossings, enhance traffic law enforcement, and impose stricter penalties on persons who enter grade crossings, causing damage or derailment.	Senate Desk
AB 1173	Tran		Would require Anaheim to be the southern terminus of the initial segment of the high-speed train system established by the proposed Safe, Reliable High Speed Passenger Train Bond Act for the 21st Century (AB 713).	Assembly Appropriations Suspense File

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1702	Frommer		Would appropriate from the General Fund moneys to the Controller for deposit in the Traffic Congestion Relief Fund to pay or reimburse the cost of transportation projects, programs and activities for encumbrance without regard to fiscal years, with 50% of the funds to be allocated to the State Highway Account for projects and 50% for Traffic Congestion Relief Program projects.	Assembly Appropriations Suspense File
ACA 4	Plescia		Would delete the requirement in existing law that authorizes the Governor and Legislature to suspend the transfer of revenues from the State General Fund to the Transportation Investment Fund for a fiscal year during a fiscal emergency.	Assembly Transportation
SB 578	Escutia	Support (Board Action: 5/24/05)	Would require railroad corporations to promptly notify the Office of Emergency Services, the California Highway Patrol, and designated county public safety agencies if a runaway train or uncontrolled train movement involves any railcar carrying a hazardous material, whether or not an accident or spill occurs.	Assembly Desk
SB 1047	Bowen		Would amend existing law where the Public Utilities Commission is required to annually report to the Legislature on sites on railroad lines in the State that it finds to be hazardous, to include in that report a list of all railroad derailment accident sites in the State on which accidents have occurred within the previous two years.	Assembly Utilities and Commerce
SJR 13	Escutia	Support (Board Action: 5/24/05)	Would urge the President and Congress to amend the Federal Railroad Safety Act of 1970 to increase the authority of state and local governments to enact railroad safety regulations.	Senate Energy, Utilities and Communications

## PARKS AND RECREATION

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 359	Gordon		Would authorize the Department of Parks and Recreation, the Coastal Commission, the County of Los Angeles, the City of Los Angeles and other interested parties to enter into a memorandum of agreement to establish, manage and evaluate a one-year off-leash dog beach pilot program at Dockweiler State Beach in the County of Los Angeles and provide that private funding sources would be used to pay for the costs of developing the memorandum of agreement and the pilot program.	Senate Natural Resources and Water
AB 466	Parra		Would require the Department of Parks and Recreation to apply specified conditions with respect to the award of a grant for a State or local park project, or a recreation project that is funded pursuant to an item contained in an annual Budget Act, when the project is not evaluated through a competitive review process administered by the department, and requires the department to adopt policies and procedures for project oversight and monitoring of the grants.	Senate Desk
AB 486	Leslie		Would provide that 12% of the moneys for the acquisition or development of recreational lands and facilities, or for innovative recreation programs, under the Urban Open-Space and Recreation Program shall also be available to counties for those projects, and make large counties and regional park districts that constitute heavily urbanized areas ineligible for these funds.	Assembly Appropriations Suspense File
AB 1039	Frommer		Would expand the definition of facilities in the Urban Park Act of 2001 to include community gardens and increase the list of criteria for which the Department of Parks and Recreation shall assign higher priority to applications for grants under the Act to include projects which create a new park in a location where none currently exists.	Senate Desk

## RECYCLING

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 338	Levine	Support (State Update: 3/30/05)	Would require the State Department of Transportation (Caltrans) to use not less than 20 percent crumb rubber by ton, of the total amount of asphalt paving materials used on and after January 1, 2007, and increase this amount to 25 percent by 2010, capping the crumb rubber mix in asphalt to not less than 35 percent by 2013.	Senate Desk
AB 399	Montañez		Would require the California Integrated Waste Management Board to make available one or more model ordinances that may be adopted by a local agency to facilitate solid waste reduction, reuse, and recycling programs at multifamily dwellings and to post specified information on the board's Internet Web site, and require the owner or manager of the residential facility to notify the residents of the multifamily dwelling about the methods they may utilize to reduce, reuse, and recycle solid waste materials.	Senate Environmental Quality
AB 574	Wolk		Would authorize the use of recycled concrete if the end user has been fully informed that the concrete is recycled concrete and prohibits recycled concrete from being offered, provided or sold to the Department of Transportation for any use unless specifically requested and approved by the department.	Senate Environmental Quality
AB 1125	Pavley		Would enact the Household Battery Recycling Act of 2006 and would define terms for purposes of the act, including "household battery", and require a retailer of household batteries to have in place a system for the acceptance and collection of used household batteries for reuse, recycling, or proper disposal including the take-back at no cost to the consumer of a used household battery.	Senate Desk
SB 423	Simitian		Would amend the Electronic Waste Recycling Act of 2003 and require the Integrated Waste Management Board to establish and update Statewide electronic waste recycling goals in consultation with the Department of Toxic Substances Control.	Assembly Natural Resources
SB 1106	Senate Environmental Quality		Would consolidate, update and clarify existing recycling laws and require local public entities to purchase recycled products instead of non-recycled products.	Assembly Natural Resources

## SOLID WASTE MANAGEMENT, TOXIC MATERIALS & HAZARDOUS WASTES

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1090	Matthews	Support (Board Action: 3/29/05)	Would define conversion technologies and promote their development by incorporating conversion technologies within the State's waste management tools hierarchy in proper context to its environmental benefits and impacts, and provide diversion credit to jurisdictions that utilize such facilities.	Assembly Natural Resources
AB 1342	Assembly Environmental Safety & Toxic Materials		Would amend existing law that provides a rebuttable presumption that an owner of property that is the site of a hazardous substance release has no liability under the Carpenter-Presley-Tanner Hazardous Account Act for either a hazardous substance release that has occurred on the property or a release of a hazardous substance to groundwater underlying the property, if the release occurred at a site other than the property.	Senate Judiciary
AB 1344	Assembly Environmental Safety & Toxic Materials		Would enact the California Subregional Coordination and Cleanup Act of 2005 which requires the site designation committee of the California Environmental Protection Agency to establish a pilot program to provide grants for aggregation of multiple real property parcels into multi-parcel areas for site mitigation and planning purposes, and require the committee to select 4 pilot projects from certain submitted applications and authorizes each project to receive a certain grant.	Assembly Environmental Safety and Toxic Materials
SB 318	Romero		Would create the Office of the Solid Waste Public Advisor within the Integrated Waste Management Board to provide objective information to members of the public living near a proposed solid waste facility or an existing facility that is proposed to be expanded or otherwise altered.	Senate Appropriations Senate Suspense File
SB 419	Simitian		Would require the Office of Emergency Services to create and maintain a hazardous rail tank car database, to contain specified information, including a current certificate of compliance provided by the legal owner or lessee of the rail tank car stating that the rail tank car meets certain standards. It authorizes the office to charge a rail tank car owner or lessee a fee sufficient to maintain the database and provides that a rail tank car that is listed on the database is a registered hazardous tank car.	Assembly Desk
SB 926	Florez	Oppose (State Update: 4/4/05)	Would permit the Kern County Board of Supervisors to adopt an ordinance to regulate or prohibit the importation of sewage sludge from another California county for application in Kern County, and would require the prohibition, if enacted, to exempt a contractual obligation to import sewage sludge for land application that was in existence before the effective date of the prohibition.	Assembly Environmental Safety and Toxic Materials

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 928	Lowenthal		Would change the percentage that a city or county source reduction element is required to divert solid waste from landfills to an unspecified amount, and delete the authority of the California Integrated Waste Management Board to grant a time extension for diversion requirements.	Assembly Desk

## WATER QUALITY AND RECYCLING

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 290	Leslie		Would amend the Safe Drinking Water Act to require the State Department of Health Services, in consultation with a study committee, to undertake a 5-year study of methodologies used to determine water source capacities in hard-rock wells in order to determine the techniques for conducting pump tests and evaluating data that will result in the most accurate and cost-effective prediction of long-term well capacity.	Assembly Appropriations Suspense File
AB 1354	Baca		Would require the Department of Health Services to establish a maximum drinking water standard contaminant level for perchlorate of 6 parts per billion, to be phased in over a period of 2 years commencing January 1, 2006.	Assembly Environmental Safety and Toxic Materials
SB 187	Soto		Would amend the Safe Drinking Water Act to require the Office of Environmental Health Hazard Assessment to revise the public health goal for perchlorate in drinking water as soon as possible after new methods for analyzing pathways of exposure become available to the office.	Assembly Desk
SB 729	Lowenthal		Would require the State Water Resources Control Board and regional water boards to implement a public information program on water quality matters, to prepare its budget in a certain manner, to establish a water quality coordinating committee, to prepare certain guidelines reflecting prioritization of the cleanup of certain state waters and identify and post schedules for total maximum daily loads.	Senate Environmental Quality
SB 1070	Kehoe		Would require the Water Resources Control Board, to the extent funding is available, to: 1) implement a public information program on matters involving water quality; 2) maintain an information file on water quality research and other pertinent matters; 3) place on its Web site a public information file on water quality research, standards, regulations, enforcement and other pertinent matters; and 4) prepare an inventory of existing water quality monitoring activities within coastal watersheds, bays and estuaries.	Assembly Desk

## MISCELLANEOUS RESOURCE BILLS

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 343	Huff		Would exempt from any utility user tax imposed by any jurisdiction the consumption of natural gas by a local agency or a school district for transportation purposes if that natural gas is dispensed by a gas compressor that is separately metered and is dedicated to serve the local agency or the school district.	Failed passage in Senate Revenue and Taxation; reconsideration granted
AB 489	Bermudez		Would require the Ports of Los Angeles and Long Beach, annually through 2008, to provide reports relative to utilization of and congestion at ports.	Senate Appropriations
AB 577	Wolk		Would require the Secretary of the Resources Agency and the Secretary of Food And Agriculture to develop a Statewide plan for management and control of all invasive species, as defined, that shall be presented to the Legislature on or before January 1, 2007.	Assembly Appropriations Suspense File
AB 802	Wolk		Would require the conservation element of the general plan to cover flood management and to consider, among other things, the existing water supply and the possible means of using flood water to supplement that supply.	Assembly Inactive File
AB 856	Bass	Support (Board Action: 4/19/05)	Would add the Director of the Department of Conservation, or his or her designee, as a non-voting member of the Baldwin Hills Conservancy (BHC) board, make changes pursuant to the Bagley-Keene Open Meeting Act, and repeal the requirement that the BHC obtain and maintain liability insurance.	Senate Desk
AB 1721	Pavley		Would provide that if the State Board of Education determines that the education principles for the environment are not appropriate for inclusion in the textbook adoption criteria, the board would be required to collaborate with the Office of Education and the Environment of the Integrated Waste Management Board to make the changes necessary to ensure that the principles are included in the textbook adoption criteria.	Senate Education
SB 760	Lowenthal		Would impose on each shipping container processed in the Port of Los Angeles and the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit, payable to the port by the marine terminal operator processing the container. The bill requires the ports to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 to the Port Congestion Relief Trust Fund and 1/2 to the South Coast Air Quality Management District.	Assembly Desk